



38078

November 14, 1990

Ref: 8HWM-SR

RECORD OF COMMUNICATION

FROM: Michael H. McCeney, RPM

Called Ed Osika, VP, United Park City Mines (UPCM), the primary PRP at the Richardson Flat Tailings (RFT) Proposed NPL Site. Informed him that new HRS had been promulgated 11/9/90 and therefore Final Rule 10 would be out within 90 days (by 2/7/90). Also informed him that all proposed sites would be addressed in this rule due to the promulgation of the new HRS, therefore RFT would be ruled on.

He stated that through discussions with Sandra Moreno, (80RC) he was led to believe EPA would reply to UPCM's comments to the proposed listing package personally **prior** to any "final ruling" taking place. I told him that it was my impression that EPA would address UPCM comments publicly, **concurrent** with the final listing. I informed him that Peter Ornstein was the new pre-remedial attorney at 80RC.

I also discussed with him the fact that the north perimeter of the site has yet to be effectively secured through fencing. I informed him that although the west, south, and east boundaries of the site have been secured by UPCM with a new fence, there has been confusion as to whether there exists any fence at all because of the "windshield" site tours that have taken place where those fences have been overlooked. He stated that they have not been provided approval to block the abandoned railroad right-of-way. I told him that completing the northern portion of that fence may help prevent the EPA Emergency Response Branch from getting involved with the Site.

I also informed him that the roll of 24 exposures shot while on my site visit 9/28/90 have been apparently lost during processing here at EPA. Therefore, UPCM would not be receiving copies of those photographs pursuant to the access agreement issued for that visit. In reference to a comment made to me on 9/28/90 by Kerry Gee (UPCM) regarding the lack of fulfillment of previous such access agreement provisions, he said that he was unaware of any outstanding data which EPA had agreed to supply to UPCM and that he would get back to me if there was.

cc: Laura Clemmens, 8HWM-SR
Mike Zimmerman, 8HWM-SR
Greg Oberley, 8HWM-SM
Peter Ornstein, 80RC
Mo Slam, Utah, BSHW